

REMARKS

Claims 1, 6, 7, 11, 12, 13, 14, 15, 16, 18, 19 and 21 stand rejected.

Claims 2, 3, 5, 8, 9, 10, 17 and 20 were withdrawn from consideration pursuant to an election made by Applicant of Group III claims (7, 13 and 23) in response to a Restriction Requirement.

Claims 24-28 are newly presented.

Applicant is prepared to cancel claims 1-23 inclusively if the Examiner will reconsider the original combination called for in claim 1, to include the features from dependent claims 2, 3, 4 and 5, all now presented in new claim 24. Applicant respectfully traverses the outstanding final rejection for the reasons presented below in detail.

The primary reference, U.S. Patent No. 4,939,888, (Katz et al.) teaches the general idea of slitting a web to create side by side ribbons that are merged so that they can be cut simultaneously by a single cutter. However, there is no suggestion in Katz et al. of providing a turnbar roller associated with only one of two paper web ribbons for the purpose of merging the ribbons. Furthermore, Katz et al. fails to show or suggest the use of take up rollers to provide equal length paths for the ribbons being slit. Such an arrangement is necessary to properly synchronize the preprinted ribbons in the apparatus of the present invention.

Fig. 6 of the Katz et al. '888 Patent does not show this synchronization feature. Such a feature is not suggested in this prior art disclosure. Indeed, the slitting takes place on a web moving in a direction perpendicular to that of the downstream direction called for in the claimed apparatus of newly presented claim 24.

The turnbar roller of the present invention differs from that in Katz. Compare Fig. 5 of the present disclosure to the turnbar roller as suggested in Fig. 8 of Katz. The

Katz turnbar is employed only to achieve a 90° change in direction for the slit ribbons. In the claimed invention on, the other hand, the turnbar roller maintains movement of the ribbons in the same general downstream direction.

The Examiner has assumed that both the master and the slave drive rollers of the present invention are suggested in the prior art, particularly Kishine et al.. However, this element of the claimed combination is merely one limitation selected for inclusion by Applicant, and need not by itself constitute the sole measure of patentability in the combination as called for in claim 24. The fact that parallel rollers are controlled as to peripheral speed in such a manner they one runs faster than the running web is, as pointed out by the Examiner and Kishine et al., was well known in the art. However, the real test for unobviousness should be the invention viewed as a whole, and Applicant submits that the several limitations or elements now presented in the combination claim 24 cannot be considered obvious in view of the prior art Kishine et al. and/or Katz et al. references.

An important feature of the present invention can be traced to the fact that the ribbons which are to be merged and simultaneously cut at the single cutting station are preprinted, and therefore must be synchronized one with the other. This particular problem does not appear to be addressed in the prior art cited, and therefore one must be careful not to apply hindsight to the claimed invention by using the Applicant's disclosure as a template from which to pick and choose prior art features in an exercise to recreate the Applicant's invention. The prior art must show or suggest in at least one of the references, the problem to be solved. Applicant submits that such is not the case in the outstanding rejection because the Katz et al. reference does not appear to require the same synchronization of the preprinted pages that make up each of the separate ribbons so that identical path lengths are required between the turnbar roller and the cutting station. Indeed Fig. 8 of Kishine et al. appears to suggest that such a use of take up rollers as called for in the claim s of the present case is not even required.

The above-stated distinction is even more significant when taken in conjunction with the claims presented dealing with more than two ribbons which must be merged, superposed, and severed at a single cutting station. See claim 26.

The old 1940 Patent to Mustin et al. (U.S. Patent No. 2,214,593) shows an arrangement whereby two ribbons, slit from a common web, are indeed synchronized one with respect to the other for simultaneously being severed. However, there is no suggestion in this Mustin et al. '593 Patent of a turnbar roller angled to the direction of the movement of the web around which one of the ribbons can be wrapped. So too there is no suggestion in the Mustin prior art reference of take up rollers associated with the other of the two ribbons for matching the path lengths of each of these ribbons.

Likewise Bahrani, U.S. Patent No. 3,399,884 merely shows an apparatus for superposing one web above another. Here again, the web paths taken by each of the ribbons are of different lengths so that there is no indexing of the ribbons such as required by the claims of the present invention.

Hamlin, U.S. Patent No. 2,284,318 merely shows that a turnbar can be adjusted angularly. Here again, the Applicant does not claim this feature by itself nor do the claims depend upon this feature as a "point of novelty" in the claimed combination. Rather, the combination claim calls for the angled turnbar as one element of the combination that allows the side by side ribbons leaving the slitter station to be superposed one above the other, taken in combination with the synchronization of the merged ribbons.

The newly cited references to Miyaji and Miller are also relevant to the angled turnbar roller concept employed in the present combination, but here again there is no showing or suggestion of providing additional take up roller or guide bars to assure accurate indexing of the ribbons one with respect to another prior to arrival at the cutting station.

In conclusion, the present invention does not require movement of one ribbon at a speed higher than that of the other ribbon, and deals instead with adjusting the path taken by each of the ribbons so that both ribbons arrive at the cutting station in properly indexed relationship to one another. This is a problem not even recognized in the prior art cited, and therefore the Examiner's case for obviousness depends to a large extent on hindsight, and relies heavily on the present disclosure as suggesting for the first time a solution to the problem presented; namely that of indexing superposed ribbons slit from a common web.

Applicant believes that no fees are due in filing this Response. However, authorization is hereby granted to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

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